Remarks/Argument

Claims 1, 3, 4, 8 and 10-14 are pending in the application. Claims 8, 10-11 and 13-14 have been cancelled without prejudice. Claims 1 and 12 have been amended. After entry of this amendment, claims 1, 3, 4 and 12 will be pending.

The amendments to the claims place the claims in better form for allowance, as discussed below. Entry of the present response is therefore proper, and reconsideration of the claims is respectfully requested based on the above changes and the remarks set forth below.

PTO 1449 Forms

Applicant acknowledges that the Examiner has initialed and returned the PTO 1449 form submitted with the IDS on November 6, 2001. Applicant respectfully requests that the Examiner initial the PTO Form 1449 submitted with the Supplemental IDS filed on March 12, 2002, and return a copy to Applicant's undersigned representative.

Response to the section 103(a) rejection

Claims 1, 3, 4, 8 and 10-14 are rejected under 35 U.S.C. 103(a) as allegedly rendered obvious by Iwahashi et al., Bulletin of the Japanese Society of Scientific Fisheries, Vol. 42, No. 12, Pages 1339-1344 (1976), hereinafter "Iwahashi." Claims 8, 10-11 and 13-14 have been cancelled without prejudice, and the rejection is moot as to these claims. Claims 1, 3, 4 and 12, as amended, are non-obvious over Iwahashi for the reasons discussed below.

In an earnest attempt to advance prosecution, claim 1 has been amended to recite a method of enhancing the uptake of pigment in *salmonid* fish, by feeding the salmonid fish with feed comprising pigment and cholesterol. Specific salmonid species are identified in claim 12 as amended.

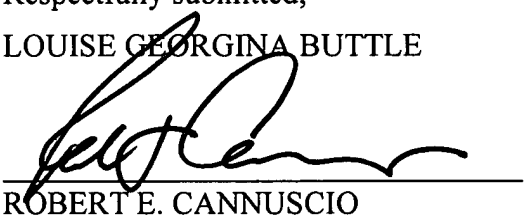
Iwahashi discloses that skin pigmentation in decorative *carp* can be improved by the addition of carotenoids into the diet of the fish. Although some of the feeds discussed in Iwahashi contain cholesterol, this cholesterol had no effect on the accumulation of carotenoids in the skin of the decorative carp (*see* Iwahashi abstract). Iwahashi also does not disclose or suggest that test feeds which contain cholesterol can influence flesh color of a *salmonid* fish.

The accumulation of pigment in various tissues of fish is influenced by the metabolic pathway by which the pigment is processed. Different fish species process and store pigment differently. For example, salmonid fish have a "reductive" pathway for metabolizing carotenoids, while carp species have an "oxidative" pathway for metabolizing carotenoids. *See* Bjerking et al., Comparative Biochemistry and Physiology Part B (2000) 125: 395-404 (copy enclosed), at pg. 402. One skilled in the art would therefore not expect that processing and deposition of pigment in carp tissues would indicate how pigment is processed and deposited in tissues of salmonid species. Iwahashi therefore does not provide one skilled in the art with the motivation to feed cholesterol-containing feed to salmonid fish for enhancing flesh color. Iwahashi also does not provide one skilled in the art with any reasonable expectation that the color of salmonid flesh could be successfully enhanced with cholesterol-containing feed. Applicants therefore respectfully request that the 35 U.S.C. 103(a) rejection of claims 1, 3, 4 and 12 be withdrawn.

Conclusion

The claims of the application are believed to be in condition for allowance. An early action toward that end is earnestly solicited.

Respectfully submitted,
LOUISE GEORGINA BUTTLE



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